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OFFICE OF PETITIONS

In re Application of
Richey et al.

Application No. 09/904,982

Filed: July 12, 2001

Attorney Docket No. CSCO-108434

DECISION ON PETITION

This is a decision on the petition under 37 CFR §1.137(b), filed August 22, 2006, to revive the above-identified application.

This above-identified application became abandoned for failure to timely file a proper response to a final Office Action which was mailed on August 2, 2005. The final Office Action set a three (3) month shortened statutory period for reply. An untimely Request for Continued Examination (RCE) and amendment were filed on February 2, 2006. The RCE was treated as an improper because it was not accompanied by the fee as required pursuant to 37 CFR 1.114. Accordingly, this application became abandoned on November 3, 2005. A Notice of Abandonment was mailed on July 13, 2006.

The requirements for a grantable petition under 37 CFR §1.137(b) have been met. This petition is hereby **Granted**.

Pursuant to petitioner's request deposit account 23-0085 will be charged the \$790 RCE fee.

The Request for Continued Examination (RCE), and amendment will be forwarded to Technology Center 2100 for further processing.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

Charlema R. Grant

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Petitions Attorney

Office of Petitions